

REMARKS

In the Office Action, Claims 1-31, 33-35, 37 and 38 were examined. Claims 1-3, 5, 7, 8, 11-13, 15, 17, 18 and 35 are rejected. Claims 4, 6, 9, 10, 14, 16, 19, 20, 37 and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the based claim and any intervening claims. Claims 21-31, 33 and 34 are allowed. In response, Claims 1 and 35 are amended, Claims 20, 36 and 38 are cancelled and no claims are added. Applicant respectfully requests reconsideration and withdrawal of the rejection of pending Claims 1-31, 33-35, 37 and 38 in view of the amendments to the claims and the following remarks.

I. Claims Rejected Under 35 U.S.C. §103

The Examiner has rejected Claims 1-3, 5, 7, 8, 11-13, 15, 17, 18 and 35 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,697,638 issued to Larsson et al. ("Larsson") in view of U.S. Patent No. 5,737,433 issued to Gardner ("Gardner"). Applicant respectfully traverses this rejection.

Regarding Claim 1, Claim 1 recites the following claim features which are neither taught nor suggested by the prior art combination of Larsson in view of Gardner:

1. A method comprising:
 - detecting at least two audio sources within communication range of a wireless device;
 - establishing an audio link with each audio source device of the at least two detected audio sources;
 - providing, via at least two device audio channels, audio streams to a user of the wireless device, wherein the audio streams are from the audio source devices with an established audio link to the wireless device;
 - switching between the at least two audio channels in response to a user voice request. (Emphasis added.)

While Applicants argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

Larsson is expressly limited to the establishment of an audio link between a portable phone 100 and a car kit as shown in FIG. 1 of Larsson, as well as the communication with the cellular system and portable phone 100 via car kit 160, which provides transceiver operations for communication with a cellular system. (See col. 3, lines 24-40.) Hence, Larsson is expressly limited to establishment of a single audio link between portable phone 100 and car kit 160 and an additional audio link between car kit 160 and a cellular system.

In contrast with Claim 1, Larsson does not disclose switching between the at least two audio channels in response to a user voice request. As a result, the Examiner cites Gardner. In contrast with Claim 1, Gardner fails to teach or suggest switching between the at least two audio channels in response to a user voice request, as in Claim 1. Although Gardner discloses user selection of audio sources with reference to column 3, lines 12-15, we submit that, Gardner explicitly requires that “the particular sound sources are selected and controlled by the user simply pushing a few buttons on a remote control unit, in a manner similar to the simplest television remote controls.” (See col. 3, lines 13-16.) Consequently, the combination of Larsson in view of Gardner cannot teach or suggest switching between the at least two audio channels in response to a user voice request, as in Claim 1.

Hence, no combination of Larsson in view of Gardner can teach or suggest switching between the at least two audio channels in response to a user voice request, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend on Claim 1 are patentable over the cited art. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of claims 1-3, 5, 7 and 8.

Each of Applicants’ other independent claims includes limitations similar to those in Claim 1 discussed above. Therefore, all of Applicants’ other independent claims, and all claims which depend on them, are patentable over the cited art, for similar reasons. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 11-13, 15, 17, 18 and 35.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

II. Allowable Subject Matter

Applicant thanks the Examiner for allowing Claims 21-31, 33 and 34.

The Examiner has objected to Claims 4, 6, 9-10, 14, 16, 19-20, 25 and 37-40 for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the based claim and any intervening claims.

Applicants respectfully thank the Examiner for recognizing the allowability of such claims.

CONCLUSION

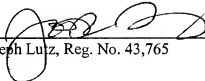
In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,


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CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

 8/10/07
Elaine Kwak Date